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- ART. I. — 1. *Letters of Hon. Joseph Howe to Lord John Russell*; October, 1846.
2. *Despatch of Earl Grey, Colonial Secretary, to Earl Elgin, Governor-General of British America*; December 31, 1846.
3. *Despatches of Earl Grey, Colonial Secretary, to Sir John Harvey, Lieutenant-Governor and Commander-in-chief of Nova Scotia*; March 2 and March 31, 1847.
4. *Address of Hon. Louis Joseph Papineau to the Electors of the Counties of Huntingdon and St. Maurice*; December, 1847.
5. *Speech of Hon. Lemuel A. Wilmot, in the House of Assembly of New Brunswick*; February, 1848.

THREE years and a half ago,* we called the attention of our readers to the political condition of the British Colonies north and east of us, and gave a brief view of the questions which have recently occupied the minds of the Colonists and of the statesmen of England. We propose now to return to the subject, and to notice the several papers mentioned at the head of this article, as well as to consider the aspect of Colonial affairs generally. Those who feel an interest in the concerns of our neighbours across the frontier may freshen their recollections by turning to our former remarks, and reading them in connection with what we shall now offer.

* *North American Review* for January, 1845.

To us, who have watched the progress of events in the British Colonies with intense interest for many years, every thing seems to indicate a final and complete separation from the mother country. England, we feel assured, will lose her continental possessions in America at no distant day ; and it should be the earnest prayer of the humane and true-hearted everywhere, that, when the hour for their emancipation shall come, she may part with them in peace. The experiment of attempting by fire and sword to prevent colonies from becoming nations has been tried quite often enough ; Christianity and humanity ought never again on this account to weep over smouldering ruins and untimely graves, over divided and expatriated families, over desolate hearths and broken hearts.

British statesmen will soon be required to choose between the employment of fleets and armies to preserve the integrity of the empire, or of statutory provisions for the amicable settlement of demands and difficulties which are pressed upon them in new forms, and with increased importance, from year to year. From this decision there can be no escape. Were that stout old Loyalist of Maryland, George Chalmers,* now alive, he would very probably say, that, as *concession* to unreasonable pretensions set up by the Old Thirteen was the primary cause of *their* revolt, so the disquiets which now prevail in the present Colonies are to be traced to a similar origin. If he were at his former post in the Privy Council, he would read in wonder the state papers which continually find their way thither, and in view of the fact that they contain the representations of the descendants of those who were banished or fled at the period of his own *begira*, he would be likely to repeat his profound and characteristic remark, that “ whether the famous achievement of Columbus introduced the greater good or evil by discovering a new world to the old has in every succeeding age offered a subject for disputation.” In truth, it is a matter which may well surprise, not only such men as Chalmers, but those who hold very different princi-

* An annalist, whose works are constantly referred to and cited by our own historical writers. His *Political Annals of the United Colonies*, published in 1780, and his *Introduction to the History of the Revolt of the same*, printed at Boston in 1845, are of the highest value to the student of history. He went to England, and was chief clerk of the Committee of the Privy Council for nearly half a century. He died in London, 1825, aged 82.

ples in politics, to witness the children of the Tories of our Revolution imitating so exactly the conduct of those whom their fathers resisted in the field as rebels and traitors. The triumph of the Whig doctrines of 1776 is complete, as our readers will not fail to observe in the progress of our inquiries ; since it will be apparent, that in Canada West,* in Nova Scotia, and in New Brunswick, persons of the name and lineage of the old Loyalists are now among the boldest and most influential of the Reformers, the Liberals, or, as their opponents say, the Revolutionists, of the present day.

Our first object is to notice the most important events that have taken place in the three principal Colonies since January, 1845. In Canada, towards the close of Lord Metcalfe's administration, and while his temporary successor, Lord Cathcart, was at the head of affairs, nothing occurred which need detain us here ; and we have only to speak of the leading events since the arrival of the present Governor-General, Lord Elgin and Kincardine. This nobleman, a Scottish earl of the creation of 1633, succeeded Lord Metcalfe as governor of Jamaica at the critical period of the negro emancipation in the British West Indies, and so conducted the public concerns as to maintain amicable relations with the Assembly and with the government at home. He arrived at Halifax early in 1847, and having congratulated all parties on the harmony which apparently prevailed in Nova Scotia, he departed almost immediately for his own capital. He is to be regarded as a cool and sagacious statesman. No subject abroad is clothed with higher powers ; his station is inferior in importance only to that of the Lord Lieutenant of Ireland, and that of the Governor-General of India, while experience has shown that it is more perilous to life† and reputation than either of these.

Lord Elgin, on his arrival in Canada, found every thing on the surface calm. "Responsible government," the panacea which was to cure every political evil, and charm away all

* Upper Canada, before the union, in 1840.

† It is hardly to be doubted, that the sad termination of Lord Durham's mission to Canada put an end to his life ; and whatever causes hurried his three successors, Sir Charles Bagot, Lord Sydenham, and Lord Metcalfe, to the grave, the severity of the climate and the pressure of public cares are surely to be ranked among them.

Colonial disabilities, was in full operation. As he was soon to meet the Assembly, he attempted to fill the vacancies which existed in the cabinet bequeathed to him by his predecessor, and made overtures to the leaders of the Liberals of French origin, to form a ministry in which both of the great parties should be represented. The negotiation proceeded on the basis, that the cabinet should consist of the three gentlemen then in office, three more who were to be selected by the Liberals, and a seventh whom his Lordship would nominate when the ministry should be otherwise completed. It is understood that this plan was first submitted to Mr. Morin, and subsequently to Mr. B. Papineau ; but it failed, in consequence of a demand on the part of the Liberals that Mr. Daly, the Provincial Secretary, should be dismissed. It is further understood that Mr. Daly, on learning that he had become an obstacle to the arrangement, tendered his resignation, but that Lord Elgin peremptorily declined to proceed, unless the pretension of thus controlling the secretaryship was withdrawn. The correspondence on this point appears to have been conducted with Mr. P. Caron, to whom was offered the place of President of the Cabinet ; but neither he nor his friends would yield, and the three vacancies were subsequently filled by gentlemen of the "British party." As the Conservatives outnumbered the Liberals in the Assembly, the latter, on refusing to form a coalition administration, determined to agitate the country anew, and to obtain the control of both branches of the government. A popular election was soon to occur, and it is to be remembered, that, on the principles of "responsible government," the members of a Colonial ministry hold their places entirely at the will of the Assembly, and not, as formerly, by a life tenure.

The election of a new Assembly terminated early in 1848, when it was ascertained that the Liberals had achieved a complete triumph, and secured a large majority. Unlike some of his predecessors, Lord Elgin maintained a neutral position throughout the contest, and we have no knowledge that his name or influence was authoritatively appealed to, in a single instance, by either party, during the canvass. The Conservatives had the control of the times and places of the balloting in the different towns, cities, and ridings, and the officers who presided at the polls were generally of their

party ; the members of the government, also, and the Episcopal clergy were on their side. The success of their opponents was as fairly obtained, therefore, as a political victory ever is ; the diminished majorities in places where there could be no pretence of fraudulent polling, and the loss of members in districts which had returned Liberals at no former period, showed clearly that there had been a great change in public sentiment. The House, since the Act of Union, consists of eighty-four members, and the Liberals claim a majority of thirty-four. At no previous time, probably, has the popular branch contained so large a representation of the wealth, the talents, and political experience of the Colony, as at present.

If our limits would allow, we might trace the history of several, whose career affords a striking illustration of the vicissitudes of human condition. Men who were banished by Lord Durham, and who remained in exile for years, others who found safety only in concealment, some who were apprehended and imprisoned, and others for whose arrest as traitors and outlaws the government offered large rewards at the time of the memorable rebellion in 1837, are among the most prominent members of the new Assembly. Already some of them have been taunted with their former conduct so bitterly, as to show that their opponents have nursed their hate, and will put them upon their defence at every possible opportunity.

The result of the election promptly sealed the doom of Lord Elgin's advisers, who, upon a vote in the popular branch of "a want of confidence," resigned in a body. Gentlemen belonging to and designated by the victorious party succeeded to their places, and those who, within a few years, had been denounced by proclamation, imprisoned, or exiled, and whose political fortunes were supposed to be irrecoverably ruined, now occupy seats in the cabinet of the Governor-General of British America ! What would Chalmers say to a "concession" like this ?

We pass to Nova Scotia. In our former notice of the politics of this Colony, we expressed the belief, that the agitation then existing would both continue and increase, and that future calms or storms would depend much on the course pursued by Mr. Howe, the leader of the Liberals. We were not mistaken in either conjecture. During the

summer of 1845, Mr. Howe visited several parts of the Colony, held "mass-meetings," and addressed throngs of people in the open air. In the more populous neighbourhoods, he spoke four hours at a time, and attended political dinners and picnics, provided specially to do him honor. In the Assembly, his speeches were frequent, and sometimes excited in tone and abounding in personal allusions. Though once a member of Lord Falkland's cabinet, he indulged in the most bitter invective against his Lordship, and on one occasion declared that it might become necessary "to hire a black fellow to horsewhip the governor through the streets of Halifax." This remark, unfortunate and undignified, caused much sensation among people who, besides their habitual deference to rank, look upon the person of the representative of their sovereign as sacred.

The administration of Lord Falkland closed in disquiet, the leaders of the two parties and their followers giving way to extreme irritation. After the breaking up of his *coalition* ministry, near the close of the year 1843, matters between him and the Liberals continued to grow worse, until finally his withdrawal* from Nova Scotia must have become as desirable to him as it certainly was to them. He was succeeded in the summer of 1846 by Sir John Harvey, a military officer of distinguished merit, and who, as former governor of New Brunswick,† and thence transferred to the executive chair of Newfoundland, possessed much political experience. Specially instructed by the government at home to devote his attention to reconciling and healing the differences and personal enmities which existed in the Colony, he made known at once his desire to form a Council in which both parties should be represented. His proposition is understood to have been, so to construct that body as to give the Conservatives a majority of one member. This offer was declined by the Liberals, first, because they were not to enjoy an equal share of the power and patronage, and, secondly, because they objected to again trying the experiment of governing the Colony by a *coalition*. This is the substance of the negotiation on both sides, ex-

* Early in 1848, he was appointed to the government of the Bombay Presidency, with a salary of about \$ 40,000 per annum, exclusive of outfit.

† Sir John, it will be remembered, was governor of New Brunswick during the Aroostook troubles.

cept that the Liberals were to have the disposal of the office of Solicitor-General, which was to be vacated by the Conservative incumbent at their pleasure. In the correspondence, the Liberals intimated the wish to appeal to the country in a general election of a new Assembly.

Sir John communicated to the Colonial Secretary the failure of this overture, and received in answer the first despatch of Earl Grey which is named at the head of this article. "While I regret," says the Earl, "your want of success in efforts prompted by your anxiety for the efficiency of the public service, I must add that I am not surprised at the result."

"The experience of free countries shows that it but rarely happens, that a coalition of rival leaders, which often appears the easiest solution of many political difficulties, can be arranged to the honor and satisfaction of those who are included in it, or can form any permanent foundation for any government. And however injurious party animosities may often be to these small communities, which can ill afford the exclusion from their affairs of any of the practical ability which is contained within their limits, experience has taught that those animosities exhibit themselves at least as keenly in small as in large societies, and that the public necessities are as little effectual there as elsewhere in inducing those who are separated by personal and political repugnances to unite their councils for the common good.

"The letters which constitute the correspondence in the present case must have convinced you, as they have convinced me, that the personal and political differences which separate those who bore a part in it are so wide as to render it impossible for the two parties, in the present state of their political feelings, to act together honorably or usefully.

"It is very problematical whether any lapse of time or any change of circumstances will ever bring those parties into a state of feeling more favorable to the arrangement which you contemplated. I am therefore of opinion, that, the present negotiation being at an end, no attempt should be made to renew it.

"The two contending parties will have to decide their quarrel at present in the Assembly, and ultimately at the hustings, and until a decision adverse to your present advisers shall be pronounced in one way or the other, the composition of your Council will require no farther interposition on your part."

Reserving to another place our comments on Earl Grey's remarks upon the want of success which has usually attended

the "coalition of rival leaders," we may here observe, that the two contending parties did, in the summer of 1847, ultimately refer their quarrel to the people "at the hustings," where the Conservatives were signally defeated. In previous elections, the contest was frequently prolonged for a week, and even a fortnight; but this time, under a recent law, the polling was accomplished in a single day, much to the satisfaction of all persons interested. The new Assembly met in January, 1848, and, as in Canada under similar circumstances, the members of the Council tendered their resignations,* which were accepted; and the Liberals formed a ministry from the leaders of their own ranks, and also obtained the disposal of the great law-offices of the crown, and of the still more lucrative post of Provincial Secretary. Mr. Howe, besides a seat in the cabinet, received the last-named office, and, as will be seen when we come to notice his Letters to Lord John Russell, now enjoys the highest honors to which a Colonist can aspire. Thus we record the adoption of the system of "responsible government" in Nova Scotia; an event which, though sure to happen sooner or later, because of the precedent in Canada, was hastened by the principles avowed in Earl Grey's despatch of March 31, 1847, which was laid before the Assembly by Sir John Harvey, soon after the opening of the session. The following extract will sufficiently indicate the nature of his Lordship's views.

"Small and poor communities must be content to have their work cheaply and somewhat roughly done. Of the present members of your Council, the Attorney-General and Provincial Secretary, to whom the Solicitor-General should perhaps be added, appear to me sufficient to constitute the responsible advisers of the Governor. The holders of these offices should henceforth regard them as held *on a political tenure*; and, with a view to that end, the Provincial Secretary should be prepared, in the

* Three of the retiring members of the cabinet were *Lewis Morris Wilkins*, *Simon Bradstreet Robie*, and *Mather Byles Almon*. Their names indicate their origin. Mr. Wilkins, who is a judge of the Supreme Court, is a son of Isaac Wilkins, a Loyalist of New York, and a nephew of Lewis Morris, who was a signer of the Declaration of Independence, and of Gouverneur Morris, another distinguished Whig of the Revolution. Mr. Robie is the son of Thomas Robie, an adherent of the crown, formerly of Marblehead, Mass., who went to Halifax, thence to England, and back to Salem, Mass., where he died. Mr. Almon's name reminds one of the clerical wit of Boston, but we are unable to give exact particulars with regard to him.

event of any change, to disconnect from his office that of the clerkship of the Council, which seems to be one that should, on every account, be held on a more permanent tenure."

The Colonial Secretary evidently yields to necessity rather than conviction, since, after arguing the question, he qualifies his consent, and announces his conclusion in the following language :—

"On such terms as these, which I have thus detailed, *it appears to me that the peculiar circumstances of Nova Scotia present no insuperable obstacle* to the immediate adoption of that system of parliamentary government which has long prevailed in the mother country, *and which seems to be a necessary part of representative institutions in a certain stage of their progress.*"

The celebrated despatch of Lord John Russell to Sir John Harvey, in 1839, which in Colonial politics acquired the name of the "Russell Purge," was thought at the time to contain doctrines wholly irreconcilable with justice to persons who held official stations. No case of removal, unless for official misconduct, had occurred in the Colonies during the reign of King William, or in the reigns of his brother and father ; office was held by a sort of prescriptive right, by a life tenure, and descended like an estate to the incumbent's family. The "Purge" gave notice of a great change, inasmuch as Sir John was directed "to cause it to be generally known, that public officers would be called upon to retire as often as any motives of public policy might suggest the expediency of that measure"; and that the rule was applicable, not only to those *to be* appointed, but also to those who *then* enjoyed the honors and emoluments of place. What do we now see, after the lapse of nine years ? The popular will, having wholly wrested away the prerogative, now breaks up cabinets, and displaces the highest functionaries, without check, accountability, or control. We see, too, a minister of the crown conceding in express terms, that such a power "*seems to be a necessary part of representative institutions in a certain stage of their progress*"! If a single Whig of 1776, in his loftiest mood, even so much as dreamed of obtaining a "concession" like this, we have yet to be informed of it.

As we review the proceedings in New Brunswick during

the last three years and a half, we find similar manifestations of "progress." Sir William Colebrooke, the successor of Sir John Harvey, and who is also an officer in the army, had encountered no organized opposition to his measures at the time when our former remarks were committed to the press ; but they had hardly been published, before the Assembly, the public papers, and political men generally, assailed him with great asperity. Here, as in Canada and Nova Scotia, the demand was, that the representative of the queen should dispense patronage in accordance with the popular voice, and not, as both he and his predecessors had always done, at discretion, and subject only to the approval of the home government. Our account of the affair must be brief. On the death of the Provincial Secretary,* in December, 1844, Sir William appointed to the vacant office Mr. Reade, a gentleman who had married his daughter, who was well qualified to fill the station, and who had received assurances from Lord John Russell and Lord Ashburton, that his services in the West Indies, and during the negotiations which resulted in the adjustment of our northeastern boundary, should be duly rewarded at a proper opportunity. Several members of the Council, disapproving of the appointment, resigned, and after an angry debate in the Assembly, of several days' duration, an Address to the Queen passed that body, in which, in hardly decorous terms, Mr. Reade is spoken of as Sir William's "son-in-law," and his selection is stigmatized as an "improper and unjust exercise" of the prerogative. His ability to perform the duties of Secretary was not denied, and the objection to his appointment was merely that he could not be "regarded as a permanent resident of New Brunswick," and so ought to be provided for elsewhere.

Lord Stanley, who was then the Colonial minister, disapproved of the appointment, and recalled the members of the Council who had broken up the administration ; he caused

* The Hon. *William Franklin Odell*. He was named for the only son of Dr. Franklin, who was the last royal governor of New Jersey, and a Loyalist. His father was the Hon. and Rev. Jonathan Odell, of New Jersey, who also adhered to the crown. The letters between Arnold and André, at the plotting of the treason, were addressed to his care in New York. Mr. Odell settled in New Brunswick at the close of the Revolution, and was the first Secretary of the Colony ; at his death in 1818, his son, above named, succeeded to the office.

the secretaryship to be given to a Colonist of Loyalist origin,* the principle being thus admitted that natives of the British isles are no longer to fill Colonial offices. That this is now the settled policy of the government is fully proved by the documents before us, and by the fact, that, soon afterwards, Lord Metcalfe, then Governor-General, felt obliged to dismiss the applications of two gentlemen, who came out from England with strong recommendations from Lord Stanley himself, on the ground that they were not "settled inhabitants." Both of these disappointed applicants came to the United States. Those who remember that in this country, before the Revolution, the natives of England were the favored objects of patronage, to the exclusion of the Colonists, will perceive, that, where our fathers vainly claimed to enjoy a part, the children of their opponents have successfully contended for the whole.

Sir William,† on proroguing the Assembly after a stormy session, expressed his regret, that the measures so urgently required for the improvement of the parish schools had failed, because so much time had been devoted to other objects; and he thus mildly alluded to the proceedings which we have noticed:—

"The discussions which have arisen in the course of the session, and which have engrossed so much of your attention, will not have been unproductive of advantage, if they should lead to a just appreciation of the true principles of the constitution, in their application to the government of the Colonies."

Without detaining our readers with an account of the occurrences of the intervening period, we come at once to the debate in the Assembly in the winter of the present year, on the resolution for adopting the system of responsible government, according to the terms of Earl Grey's despatch of March 31, 1847. The discussion occupied two days, and

* Hon. John Simcoe Saunders. His father, John Saunders, a lawyer of Virginia, adhered to the crown in the Revolution, and was an officer in the Queen's Rangers. At the peace, he settled in New Brunswick, and was a judge of the Supreme Court and a member of the Council. We may here remark, that the office of Secretary is next in rank to that of Governor, and that its emoluments are large.

† Sir William Colebrooke was transferred to the governorship of British Guiana in the spring of the present year; his successor in New Brunswick is Sir Edmund Head.

was listened to with great interest by a crowd that it had attracted to the Capitol. The resolution passed the Assembly by a large majority. In the three continental Colonies, therefore, this plan for administering the public affairs, which, ten years ago, was actually ridiculed in all parts of British America, even by the moderate Liberals, is now in operation. The Conservatives, we may hope, will allow it to have a fair trial, and generously admit, as did Mr. Hazen * of New Brunswick, that, "whether for better or for worse, the principle of responsible and departmental government is now established beyond dispute, and it has now become every man's duty to assist in carrying it out to the best of his power."

It was during this debate, that Mr. Wilmot † delivered the speech which we have named at the head of this article. The following extract will serve to show his course of reasoning. We may observe, that eight years have hardly elapsed since some of his most ardent personal friends called him a madman, and his adversaries a traitor.

"My honorable colleague, who introduced this resolution," said Mr. Wilmot, "and others who have acted with me, have longed to see the day which has at last arrived. We have been struggling in the sea of political antagonism. Sustained by our principles we struggled on, panting for some green spot amid the adverse elements, on which we could sit down and rest our wearied limbs. That spot we have reached at last, and it is to be found in that despatch. Shoulder to shoulder we have fought our opponents, and although often repulsed, we never despaired of ultimate victory. At each successive onset the foe has become weakened, and each successive repulse but tended to confirm us in the certainty of the final triumph of those principles for which we have contended. The principles contained in that despatch are no new set of principles; they were as correct

* Hon. Robert L. Hazen, an able lawyer of St. John's, and a member of Sir William Colebrooke's cabinet. He is a grandson of Col. John Murray, one of the celebrated "mandamus councillors" of Massachusetts, and of course a Loyalist. Mr. Hazen is a Liberal and an honorable politician.

† Hon. Lemuel A. Wilmot, a distinguished member of the Fredericton bar. His paternal grandfather was a Loyalist of New York; on his mother's side, he claims connection with Colonel Murray. He was one of the retiring councillors on the appointment of Mr. Reade. He possesses brilliant powers, and as a public speaker ranks with the most effective and eloquent in British America. At the conclusion of this speech, he was greeted with a burst of applause.

and constitutional in 1837 as they are now in 1848. The principles were the same then as they are now, and the advocates of these principles remain unchanged; it is only their opponents who have shifted their position. The despatch of Lord Grey does not alter the principles, but in his Lordship we have found a powerful ally, which has hastened our final triumph. Our foe has been gradually giving way, little by little, and unaided the field must soon have been our own. We have not come down to the despatch, the despatch has come up to the position which we have occupied, and the additional weight of this new and powerful ally has made our power irresistible, and the just rights of the people are now secured. I well recollect the time when, in this county, my honorable colleague and myself were followed through a general election, from station to station, and from poll to poll, with denunciations against us for the advocacy of these principles, — principles which, at that time, were denounced as revolutionary and anti-British. It was the want of these principles which produced revolution and bloodshed in England. It was the disregard of these principles which cost King Charles his head. It was irresponsible power which attempted to force the people to pay ship-money; and it was irresponsible power which trampled upon the people's rights, until they rose in their might, and overturned the tyrants who had misled their sovereign and attempted to enslave his subjects. It was the good self-acting and self-correcting principles for which we contend which placed the present royal family on the throne of England."

The first Letter of Mr. Howe to Lord John Russell, and Mr. Papineau's Address to his Constituents, also relate to the subject of "responsible government." But these two political leaders disagree. The former is its advocate, while the latter stigmatizes it as a mockery, a delusion, and a cheat. We need not discuss the question anew. Our opinion of it was given in this work in 1845, and having in the interval watched its operation in Canada, where it had then been introduced, and heard from some of its projectors and ablest friends all that can be said of its practicability, we have still to be convinced that a Colony can be governed by the Assembly and by the government at home at the same time, or that a Colonial governor, who is bound to obey the instructions of the ministry, and yet yield to the will of the people, can satisfy either. Indeed, had we space to notice the difficulties that have already occurred, we could show that it

has already proved to be a delusion, and to be wholly impracticable. In a word, *a colony cannot be an independent state.*

We have now to consider another concession to the Colonists, which may be regarded as far more important than any yet mentioned, or any which can be found in the whole course of Colonial history. We allude to the relinquishment by the home government of any control over the commerce of the Colonies, and to the consequent abolition of imperial custom-houses and the withdrawal of revenue officers. It is to this subject that Earl Grey's despatch to Lord Elgin principally relates. In the words of Mr. Wilmot, Great Britain has said to her subjects in North America,—*"Buy where you please, sell where you can, and levy what duties you think proper on foreigners, provided you tax them all alike"*; and we agree with him in the opinion, that, "by this great increase of power, the Colonial Assemblies are not only placed in a new, but in a *dangerous*, position." Before the close of the present year, the new system will be perfected, and the duties of the few queen's officers of the customs who are to be retained in service will be limited to granting registers to vessels, to records, and other unimportant details.

What would the Whigs of our Revolution have said to a concession like this? It is fortunate for us that it was not offered, or they and their descendants would have remained British subjects down to the present day. Their vessels could only go directly to, and return directly from, a possession of the British crown. To break up the commerce which had burst the parchment bonds of the statute-book was the fixed purpose of the ministry. Besides the swarm of revenue officers on shore, the king's cruisers on the coast seized ships and cargoes, and interrupted and broke up even the lawful enterprises of the Colonists. Our fathers were compelled, under pain of fines and confiscations, to buy their cloths and other manufactured goods in England, their sugar and molasses in the British West Indies, and their tea of the company that, until 1834, monopolized the supply of the whole empire. Had the statesmen of George the Third's time yielded to remonstrances and petitions, as those of the present reign have done, without raising an arm or firing a gun,

what calamities would they not have spared to the Saxon race in both hemispheres !

In the annunciation, "Buy where you please, and sell where you can," made to the descendants of those who not only declined to favor, but took active part against, the first great struggle in America for freedom of commerce, we find an approval of the principles on which the Revolutionary contest hinged, and an entire abandonment of the charge, that the Whigs were but successful rebels and traitors. In the arrangements of Earl Grey to shut up the custom-houses in the present British possessions in America, we find the admission of a minister of the crown, that those who, in 1776, drove out of the Thirteen Colonies the commissioners and collectors who were sent over to levy king's customs on tea, glass, and painters' colors, committed no crime, but, on the contrary, performed an act of duty !

By thus yielding to the importunities of the Colonists, the Colonial minister has been relieved of his most numerous and perplexing cares. Until a very recent period, he was borne down with the duties of his station. It was impossible for the most diligent to perform with due care all the business that claimed his attention. There are some forty British Colonies, in various parts of the world, which possess legislative bodies, and about twenty other dependencies, which, though without representative institutions, still have executive officers who receive instructions from, and make reports to, the Secretary for the Colonies. To maintain a general supervision of sixty Colonial possessions, even when there are complaints and remonstrances from none, is an arduous task. But when, in addition, as was the case down to 1840, and even still later, the minister was compelled to receive delegations from one Colony or another almost every week, and to read and answer "the loads of Colonial communications which were laid on his table" without intermission, the redress of public and private grievances was far beyond his ability. It should be considered, also, that within forty years there have been no less than twenty changes in the head of the Colonial department ; and though Earl Bathurst held office quite fifteen years, the average official term of the other Secretaries has been less than a year and a half ; so that the inexperience of the minister made it impossible for

him even to understand the questions submitted for his decision.*

In 1842, the timber merchants of Canada despatched a delegation to the Colonial Office, to remonstrate against Sir Robert Peel's proposed change of duties. The delegates waited on Lord Stanley, who, instead of listening to their complaints, civilly turned them over to Mr. Gladstone, the vice-president of the Board of Trade. Mr. Gladstone could not "think of deciding upon a matter to which the gentlemen attached so much importance," and begged leave to refer them to Sir Robert Peel. Back they went, therefore, to Lord Stanley, to procure an introduction to the premier; but his Lordship's private secretary replied, that Sir Robert "was overwhelmed with business, and that his Lordship could not take upon himself to interfere with Sir Robert Peel's engagements." In despair, they applied to the Duke of Wellington, who recommended "them to address themselves to Sir Robert Peel, or to the president of the committee of the Privy Council of Trade." They accordingly drew up a memorial to the prime minister, and sent copies to the Duke and Lord Stanley. The former, in another dry and characteristic note, promised to read it as soon as he should "have a moment's leisure"; and they were informed by direction of the latter, that it "was impossible for his Lordship to find time for another interview," and that, a change having been made in the duty on deals, any further alteration was out of the question.

These examples are sufficient to illustrate the mishaps and griefs of the deputations hitherto sent from the Colonies, in the hope of obtaining relief. In adopting measures which will render representations less necessary in future, a fruitful source of irritation to the Colonists and to the ministers at

* It sometimes happened that the minister could smile at the circumstances which, without his own agency, relieved him from the duty even of professing to examine the bulky portfolios of the Colonial deputations. Mr. Wilmot, in a speech delivered the present year, gave an amusing instance of this kind. Mr. Crane and himself were quite recently sent to England on official business by the Assembly. On their arrival, their trunks were examined by an officer of the customs, who found and seized a copy of the Journal of the House, and, heedless of their assertion that they were public characters, and that the Journal was essential to them, he bore it off; "and for aught that I know," said Mr. Wilmot, "it is in the custom-house at Liverpool yet."

home has been closed. Yet, as we shall proceed to show, the Liberals, dissatisfied with the inferiority of their social position, insist upon entire equality with their fellow-subjects of the British isles ; and thus they will continue to appear at the Colonial Office in London quite as often as their presence can be desired.

In Mr. Howe's second Letter to Lord John Russell, the personal disabilities of the Colonists are exposed with ability and great freedom. He declares that "there is a universal determination to rest satisfied with no inferiority of social or political condition." Mr. Wilmot, in terms as explicit, says, that he, "for one, does not wish to be a half-made British subject." Singularly enough, if the origin of these gentlemen be considered, both refer to the United States to prove the inequality of which they complain ; and Mr. Howe, remembering, it would seem, that his father* was "Boston-born," thus forcibly speaks to the present prime minister of England : —

"An Anglo-Saxon youth, born in Massachusetts, may rise through every grade of office, till he is governor of his native State. A youth born in Nova Scotia may do the same, with the single exception of the highest position, that of governor ; but if he is denied this distinction, he may, *de facto*, govern his country, as leader of her councils, if he possess the foremost mind of the Provincial administration. So far, there is an equality of condition which leaves to a Colonist little to envy or desire. But the highest point once reached, he must check his flight and smother his ambition ; while the young republican may continue to soar, with prospects expanding as he ascends, until, long after his contemporary across the border, weary of the dull round of Provincial public life, has ceased to hope, or to improve, in the full vigor of manhood, and with a rich maturity of intellect, he reaches that elevated station to which he has been wafted by the suffrages of twenty millions of free-men.

"*The Boston boy may become President of the United States ;*

* Mr. Howe's father was John Howe, a printer, who published the "Massachusetts Gazette and Boston News Letter," and who, adhering to the crown, and leaving Boston with the royal army at the evacuation in 1776, went to Halifax, where he established a newspaper, became king's printer, and died in 1835, aged 82. The leader of the Liberals was educated to his father's trade, and conducted a political newspaper at Halifax with great ability for several years before he became prominent as a public man.

the young native of Halifax or Quebec can never be any thing but a member of an Executive Council, with some paltry office paid by a moderate salary. I have known men who, as Loyalists, left the old Colonies and died in the Provinces, undistinguished and unknown beyond their borders; while their contemporaries, scarcely their superiors in intellect, or more successful up to the points when the conflict of principle compelled them to diverge, occupied the foremost rank in the Republic. There are men now in North America [in the British Colonies], who, if these Provinces were States, would be generals, senators, governors, secretaries, or foreign ambassadors. I have seen and heard those who figure in the State legislatures and in Congress; and, with a few exceptions formed by the inspiring conflicts and great questions of a vast country, I could have picked their equals from among her Majesty's subjects, at any time, within the last ten or fifteen years.

"The old Loyalists died contented, and their descendants in these Provinces are loyal and contented still; but, my Lord, should not a wise statesman anticipate the time when these contrasts will sink deep into the Provincial mind, — when successive groups of eminent and able men will have lived, and drooped, and died, hopeless, aimless, and undistinguished beyond the narrow confines of a single Province, — when genius, with its plumage fluttering against the wires, feeling itself "cabined, cribbed, confined," may raise a note of thrilling discontent or maddening ambition, to be caught up and reëchoed by a race to whom remonstrance and concession may come too late? For obvious reasons, my Lord, I do not dwell on this topic."

This is sufficiently explicit. But Mr. Howe urges the pretensions of the Colonists still farther. He estimates the present population of British America at two millions, and calculates that the number of inhabitants at the close of the century will be twelve millions. To make these twelve millions think and feel as Englishmen, "it is clear," he says, "that *all* the employments of the empire must be open to them, and the *highest* privileges of British subjects conferred." If this cannot be done, "a separate national existence, or an incorporation with the United States, is to be gravely apprehended." While he admits that there is no legal barrier, he still insists that, in fact, "there are more Englishmen in the post-office and custom departments of a single Province than there are Colonists in the whole wide range of imperial employment."

We have no doubt that Mr. Howe has read the writings of the principal "rebels" of his father's time, and that he is quite familiar with the claims which they set up at different periods of their controversy with the ministers of the crown; but if he has found pretensions similar to those now made by himself and other Liberals of his own descent, we confess that his knowledge of Revolutionary history far exceeds our own. The question, whether natives of Nova Scotia and New Brunswick shall be eligible to the post of prime minister of the British empire, and whether Colonists shall enjoy the highest places in the church, the army, and navy, and furnish envoys to foreign courts, we leave to Colonists to discuss; but since the Loyalists said, and their children still repeat the accusation, that the Whigs were mere needy office-hunters, and that, had they been gratified with the patronage they coveted, the Thirteen Colonies would not have been lost, we may be amused at the evidence of "progress" furnished us by Mr. Howe, and by men of the same political sentiments throughout the present possessions of England in America. If, in connection with the lofty demand, that "*all* the employments of the empire must be open to the Colonists," as a means to prevent their independence, or their annexation to the United States, our readers remember the claim previously stated, that natives of England are to be excluded from holding offices in the Colonies, the full extent of the change will be apparent.

Again, the Liberals, and even the moderate Conservatives, urge upon the mother country the importance and the necessity of a representation in Parliament. The subject is discussed as if it were new, and as if the plan were first conceived by the Colonists of the present time. A treatise written at Montreal about fifteen years ago is supposed to contain the earliest statement of this claim. But those who are conversant with our history will not fail to remember, that Dr. Franklin, as early as 1754, proposed this very measure. The principal objection to it is, that it will lead to further changes and experiments, and that its adoption is not really desired by those who advocate it, but is only proposed for the sake of exciting further discontent. That these charges are not wholly groundless may be admitted. But we believe that many of the Colonists favor the plan, from the conviction that some of the discontents which al-

ready exist will be removed by it, and that the connection with the mother country will be rendered more intimate and less liable to interruption. Such persons, of course, do not wish a final separation, and give their countenance to no other project of the Liberals. It seems to be conceded on all sides, that Colonial representation is entirely practicable, and that the communication with England is now so frequent and easy as to allow delegates from America to hold seats in Parliament, and yet reside a portion of the year among their constituents.

A part of Mr. Howe's second Letter to Lord John Russell is devoted to this subject, and a brief statement of the benefits which, as he supposes, are certain to follow, will give our readers a general idea of the merits of the question. In the first place, it is said, that the Colonies are nearly as much interested as England herself in every question of commercial regulation, of foreign policy, of emigration, of religious equality, and of peace and war; that Colonial interests would not then be, as they now are, sacrificed without a hearing, and that, after decisions adverse to the wishes of the Colonists, they would be more easily reconciled to them. It is further said, that the Colonists would be allowed a field of action for their cultivated and ambitious men, who would be able to obtain a share of the honors in every branch of the public service; that, when fairly tried in Parliament, they would be competent "to recruit and strengthen the Colonial Office," or, on returning to America, "would become guides in the Provincial legislatures when questions of difficulty arose," and, by their experience, influence, and example, would aid the mother country in every emergency, and reconcile their constituents to the decisions of Parliament in cases of dissension and disappointment.

Mr. Howe proposes that the representation should be so small as not to excite jealousy, or occasion inconvenience; he thinks that three members from Canada, two from each for Nova Scotia, New Brunswick, and Newfoundland, and one from Prince Edward's Island, or ten in all, would be sufficient. "*Did these Provinces form States of the American Union,*" he says, "*they would have their representatives in Congress, and would influence, to the extent of their quota, whatever it was, the national policy.*" He appeals to his Lordship to know whether England "should not

magnanimously take the initiative in this matter, before clamor and discontent" arise.

Much as the Colonists seem to expect from a delegation to the imperial legislature, we confess that we can imagine no disability that will be removed, no calamity which will be averted, no positive good that will be accomplished, by the measure. The means now adopted to prevent legislation hostile to their interests, and to promote that intended for their certain benefit, seem to us far better than any which they can employ; and since there are members of Parliament who have either been governors of Colonies, or have made themselves familiar with the course of Colonial industry, and since British merchants who have branch-houses in the American possessions, or deal extensively with the Colonists, keep a watchful eye upon the questions of policy which affect them, and exert an influence with persons of their own class who hold seats at the Board of Trade, we regard the plan of Colonial representation as a delusion. When suggested by Franklin, nearly a century ago, it would have been of infinite service; for *then* Colonial disabilities and grievances were monstrous. But its revival now — when hardly a vestige of the old system for the government of Colonies remains, and when, as is allowed by both Liberals and Conservatives, the continental possessions of England in this hemisphere are almost free, and can hardly tell in what their dependence consists — shows conclusively that the question is agitated by the Liberals more to imitate the "successful rebels" of the "Old Thirteen," than from the hope or the necessity of success.

We turn from Mr. Howe to Mr. Wilmot. In the Speech of the latter is the following passage, which illustrates another cause of complaint.

"I will bring," said he, "one example to show the effect of shutting out Colonial produce from the British markets. There is a hatter in St. John's, who manufactures 3,000 hats a year, — these are all he can sell; open to him the British market, and he could compete with the British hat-manufacturer, and export 30,000. Let him cross the river which divides this Province from the State of Maine, and a market would be opened for him from Maine to Florida. Were I in the councils of the United States and wished to annex these Colonies to their great Union, I would counsel the government to free trade with the

British Colonies. *Let uninterrupted intercourse be had with the United States, and restrictions imposed in England, and these Colonies would fall without the firing of a single shot.* Let it not be said that I am disloyal when I give utterance to these sentiments. I utter them because I believe them, and I believe them because their truth is forced upon us by the experience of all ages. Let the people of this country be forced from the home market, and their interests, of necessity, will be interwoven with those of the neighbouring States."

What will Mr. Wilmot say, when we tell him, that when his ancestors fled from the old Colonies, the hatters were restricted to two apprentices, and hats made in one Colony could not be transported to, or be sold in, another? Iron could not be manufactured, iron-works were abatable nuisances, and Lord Chatham was bold enough to say, that his fellow-subjects in America "had no right to make so much as a nail for a horseshoe." Mr. Wilmot, we have more than once said, is of Loyalist descent. Compare his language with that of a Whig in 1754, when it was the opinion of Franklin, that, as far as the interest of the empire was concerned, it was of no consequence whether "a merchant, a smith, or a hatter grew rich in Old or New England." The grievance of the artisan of St. John's, alluded to by Mr. Wilmot, is wholly imaginary. Unless we mistake, this hatter is descended from a Tory of New York, and went to Boston within a very recent period, where the market *was* "opened for him from Maine to Florida," but where, unable to compete with the Yankees, or from some other cause, he broke up his establishment, and returned to New Brunswick.

We are thus minute in our examination of this case, because it is adduced by Mr. Wilmot to show the *extent* of the disabilities of Colonial mechanics at the present time, and because it affords us another illustration of the truth of the position which we have endeavoured to maintain throughout, — namely, that the children of the opposers of the Revolution demand privileges and immunities which should not only cause them to cease blaming the conduct of the Whigs of 1776, but to admit in express terms, what is true in fact, that they have themselves adopted, and are now acting upon, the principles of Otis, Franklin, and others of the same political school. Ten years ago, to make pub-

lic reference to the United States, to prove that the citizens of the republic enjoy rights and liberties which Colonists do not, would have been humiliating even to a Liberal not of French origin ; but from the extracts which we have made, it has been seen that the subject is now freely discussed in documents and speeches intended for general circulation. Indeed, the confession, that we are far in advance, and that our progress is to be attributed to our institutions, has become nearly universal.

There are still those in the Colonies, who, remembering only that they are descended from the exiled losers in the Revolutionary strife, would keep alive, and perpetuate for generations to come, the dissensions of the past ; but their number, we rejoice to believe, is rapidly diminishing. To extend and strengthen the sympathies of human brotherhood is a Christian duty ; and to unite kinsmen, who were severed by events which dismembered an empire, is a work in which all may now engage, without incurring the reproach of disloyalty on the one hand, or of the want of patriotism on the other.

We have now to consider for a moment the scheme of a union of the Colonies in America, which has been proposed within two or three years. This plan will remind our readers of the one submitted by Franklin to the Congress at Albany, in 1754, which, though adopted by that body, was rejected in England, because it gave too much power to the representatives of the people, and by the Colonial Assemblies, because it gave too great authority to the President-General. But the project now presented differs from that matured by Franklin, as two kinds of union are now suggested, — the one contemplating the abolition of the Assemblies that now exist, and the substitution of a single Assembly or Parliament, — the other proposing to leave to each Colony its present legislative body, and to form a confederacy, with a Parliament composed of delegates of the people, and a viceroy to be appointed by the queen. We believe that neither would satisfy the Colonists for a single year, since neither would afford them a complete form of government, and both would continue them in a state of dependence, with the popular will coming in constant collision with the representatives of the crown. It is possible that a system of federal union may be devised which will meet their views ; but such a plan

must embrace features so like our own, that the mother country would hardly possess the shadow of authority over them, and might as well concede their entire independence at once. With regard to the plan of governing British America by a single legislative body, it is sufficient to remark that it is impracticable. It has been already said that the union of the Canadas since 1840 has proved a failure, and Mr. Papineau, in his Address, demands its repeal. Without dwelling upon the reasons which he urges, or assenting to the denunciatory tone of his appeal to his constituents, we may still admit, that, whether the act was consummated by intrigue and corruption, as he alleges, or was produced by the free consent of the freeholders of the two Colonies, it has not accomplished, and never can accomplish, the ends proposed.

The truth is, a large proportion of the Colonists have become weary of restraints, and will be contented with nothing short of self-government. Mr. Howe thus speaks, Massachusetts being never absent from his thoughts : — “ The cabinet called to select a governor for a North American Province, under existing circumstances, *should never forget that there are twenty millions of Anglo-Saxons electing their own governors across the border, and they should endeavour to prevent the contrasts not unfrequently drawn.* They should invariably act upon the policy, that, in order to repress the tendency to follow a practice incompatible with monarchical institutions, nothing should be left for the Colonists to desire.” He further remarks, that, “ as a general rule, every bad governor sent to a Province makes a certain number of republicans.” Having said that the selection of proper governors is no easy task, he refers Lord John Russell to Massachusetts for the sort of training and education necessary for the exigencies of the times. “ Born within the State, he is essentially a citizen, bound to her by filial and patriotic feelings ; his early studies, not less than the active pursuits of manhood, make him familiar with her people and their diversified interests. The struggles by which he ascends through the hustings to the House of Representatives, and thence to the Senate, presiding, it may be, at times, over one branch or the other, give him a training and experience eminently calculated to prepare him for the gubernatorial chair.”

In the present condition of things in British America, the

situation of a Colonial governor is by no means enviable. Every official act displeases somebody. He is not a free agent in any thing. If he attempts to govern without a party, he incurs the hostility of both Liberals and Conservatives. If he selects his advisers from one, and excludes the other, he is sure to create an opposition. If he form a coalition cabinet, it does not hold together for a single year. If he quarrels with the Assembly, he is abandoned by the government at home. Meantime, his domestic comfort is destroyed, since custom renders it a duty which he cannot dispense with to practise indiscriminate hospitality, and to open his house to all classes of Colonial society, without cessation and without regard to his own inclination or the situation of his family.* This description of his difficulties is far from being exaggerated.

None of the governors are natives of America. Many are officers of the army or navy, and have "been accustomed to see masses of men moved by the sound of a bugle or the boatswain's whistle." Some have been ready and correct in the performance of every duty, while others were mere schemers and intriguers. The appointment of persons born in the Colonies, some have supposed, would serve to heal many of the dissensions which now prevail, and to increase the confidence of the people in the integrity of the government. We think that the very reverse would happen.

* The following anecdote, taken from "*The Old Judge; or Life in a Colony*," by Judge Haliburton, will serve to illustrate this remark. When Sir John Sherbrooke was in command, says the Judge, "he gave permission to his house-steward and butler—two of the tallest and largest men in Halifax—to give an entertainment to their friends, and invite as many as they thought proper in their own apartment at his house. A day or two after the party, a diminutive but irascible barber, who was in the habit of attending upon Sir John, complained, in the course of his professional duty, that his feelings were greatly hurt by his exclusion from the festivities of Government House by the steward and butler, as it had a tendency to lower him in the estimation of his acquaintances; and that, if it had not been for the respect he owed his Excellency, he would most assuredly have horsewhipped them both. 'Would you?' said Sir John, who was excessively amused at the pugnacious little man, 'would you? By Jove! then I give you leave. Horsewhip them as long as you can stand over them.'

"This is the manner," said Sir John to the Judge, "in which the good people here censure me. It appears that I occasionally omit to ask some person who thinks he is entitled to a card as a matter of right. I really thought at first the fellow was going to complain of me, for in fact he has just as good a cause as some others who are admitted."

The experiment was tried in the old Colonies, and failed. To say nothing of the native governors at an earlier time, seven out of the thirteen at the Revolutionary period were of this description, and some of them seem to have been disliked and assailed by their former equals and rivals on this very account. Human nature has not changed, and a second attempt to place the administration of Colonial affairs in the hands of distinguished Colonists would result as unsuccessfully as did the first.

We have now noticed the principal questions which agitate our neighbours across the border, and we hasten to conclude our task. In our introductory remarks, we expressed the opinion that England would lose her continental possessions in America at no distant day ; whether this opinion rests on sufficient grounds, our readers will now judge for themselves. To continue the connection with the mother country is the desire of a strong party ; but the Colonists who prefer independence or annexation to the United States will soon, if they do not already, form a majority. With those who wish to become members of this Union we have no sympathy. Our views upon this subject were freely spoken in these pages in 1845, and need not be repeated. We then said, that, whenever the event could be consummated in peace and good-will, we should rejoice at the formation of a second confederacy of American States. Nothing has occurred to change this feeling, but much to confirm and strengthen it. Annexation would do neither party any good ; and we could easily enumerate many calamities which would be likely to happen, were such a measure to be attempted by either.

ART. II. — *Nieboska Komedya.* Paryż. 1835.*

THE title of this poem † will, we believe, be most adequately rendered in English “ The Profane Comedy.” It

* This article is a continuation of the essay on Polish literature contained in the last number of this Review. The present portion was intended for publication at the same time with the former, but the article was divided on account of its too great length.

† Literally, *The Not-divine Comedy*.